

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

HEATHER GUNN,

*

Plaintiff,

*

v.

* Civil Action No.: AAQ-24-053

JPMORGAN CHASE BANK, N.A. ,

*

Defendant.

*

* * * * *

**MOTION TO HOLD THOMAS ALSTON IN CONTEMPT
FOR FAILURE TO COMPLY WITH SUBPOENA *DUCES TECUM***

Defendant JPMorgan Chase Bank, N.A. (“**Chase**”), through its undersigned counsel and pursuant to Rule 45(g), hereby moves for an order holding Subpoena Respondent Thomas Alston (“**Alston**”) in contempt for failing to comply with the October 22, 2025 subpoena *duces tecum* (the “**Subpoena**”) directed to him. Specifically, while Alston appeared at his November 4, 2025 deposition, he did not produce at that time—and has not produced since—the documents that the Subpoena commanded him to produce. In support of this motion, Chase states:

1. Following a hearing, this Court entered an Order dated October 22, 2025 (ECF No. 73) directing Alston to appear for his deposition, by subpoena, on November 4, 2025.

2. Chase served the Subpoena on Alston by email that same date. A copy of the Subpoena is attached as **Exhibit 1**.

3. The Subpoena commands Alston to produce: “All communications (including electronic and physical format) between you and Plaintiff Gunn prior to March 18, 2024.”

4. When Alston appeared for his November 4 deposition, he did not bring with him any of the documents he was commanded to produce.

5. On November 10, 2025 (at 8:32 a.m.), Chase sent an email to Alston reminding him of his failure to produce the documents commanded by the Subpoena and requesting that he produce those documents by noon on November 11, 2025.

6. Alston did not respond to Chase's message.

7. Based on Alston's failure to timely comply with the Subpoena and subsequent refusal to cure his non-compliance, Alston should be held in contempt pursuant to Rule 45(g).

WHEREFORE, Chase respectfully requests that:

1. This Motion be GRANTED;
2. Alston be HELD IN CONTEMPT;
3. Alston be ORDERED to appear in court to SHOW CAUSE for his failure to comply with the Subpoena.

A proposed Order follows.

Respectfully submitted,

/s/ Michael B. Brown

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*Counsel for Defendant
JPMorgan Chase Bank, N.A.*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on November 11, 2025, a copy of the foregoing was served on all counsel of record via this Court's CM/ECF system and via email and first-class mail, postage prepaid to:

Thomas Alston
10012 Cedarhollow Lane
Upper Marlboro, Maryland 20774
talston@washlegal.com

Thomas Alston
4020 Southern Ave SE
Washington, DC 20020

/s/ Michael B. Brown
Michael B. Brown